

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK
BUFFALO DIVISION**

| | | |
|-------------------------------------|---|---------------|
| Amanda Perry, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 18 C 0566 |
| |) | |
| JTM Capital Management, LLC, a |) | |
| Delaware limited liability company, |) | |
| |) | |
| Defendant. |) | |

**MOTION FOR LEAVE OF COURT
TO WITHDRAW AS PLAINTIFF'S COUNSEL**

Plaintiff's Counsel, Angie K. Robertson and Carissa K. Rasch, hereby request, that this Court allow them leave to withdraw their appearances as counsel for Plaintiff.

In support of this Motion, Plaintiff's counsel state:

1. Plaintiff's Complaint was originally filed on October 20, 2017 in the Northern District of Illinois against JTM Capital Management ("JTM") in a matter styled Amanda Perry v. JTM Capital Management, Case No. 1:17-cv-07601 (N.D. Ill)(Dkt. 1).

2. Lead counsel David J. Philipps, alongside Mary E. Philipps, Angie K. Robertson, and Carissa K. Rasch, all of Philipps & Philipps, Ltd., each appeared on behalf of Plaintiff (Dkt. 3, 4, 5, and 17).

3. Defendant JTM moved to dismiss Ms. Perry's lawsuit for lack of jurisdiction, alleging that it does not collect debts in Illinois, nor does it have any other contacts with Illinois sufficient to establish jurisdiction here¹ (Dkt. 8).

4. After the motion was fully briefed, on April 5, 2018, the District Court Judge granted Defendant JTM's motion on jurisdictional grounds, but made no ruling as

¹ Defendant also moved to dismiss for failure to state a claim.

to Defendant's motion to dismiss for failure to state a claim, see, Perry v. JTM, 2018 U.S. Dist. LEXIS 58035, [*8] at fn. 3 (N.D. Ill., 2018). Upon reconsideration, the District Court Judge transferred this case to the Western District of New York (Dkt. 22, 23).

5. David J. Philipps, lead counsel in the initial lawsuit, and Mary E. Philipps, who are both admitted to practice in the Western District of New York, are continuing to represent Ms. Perry in her lawsuit. Moreover, Plaintiff's counsel plans to obtain local counsel in this matter, who will file an appearance in this matter.

6. Attorneys Angie K. Robertson and Carissa C. Rasch are not admitted to practice in the Western District of New York, and are not planning on applying for pro hac vice admission, and thus, respectfully request that this Court allow them to withdraw as counsel for Plaintiff, Amanda Perry.

WHEREFORE, Angie K. Robertson and Carissa K. Rasch, respectfully request that this Court allow them to withdraw as counsel for Plaintiff, Amanda Perry.

Amanda Perry,

/s/ David J. Philipps
One of Plaintiff's Attorneys

Dated: May 31, 2018

David J. Philipps (Ill. Bar No. 06196285)
Mary E. Philipps (Ill. Bar No. 06197113)
Philipps & Philipps, Ltd.
9760 S. Roberts Road
Suite One
Palos Hills, Illinois 60465
(708) 974-2900
(708) 974-2907 (FAX)
davephilipps@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2018, a copy of the foregoing **Motion to Withdraw** was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Brendan H. Little
Andrew D. Drilling
Lippes, Mathias, Wexler,
Friedman, LLP
50 Fountain Plaza
Suite 1700
Buffalo, New York 14202

blittle@lippes.com
adrilling@lippes.com

/s/ David J. Philipps
David J. Philipps
Philipps & Philipps, Ltd.
9760 South Robert Road
Suite One
Palos Hills, Illinois 60465
davephilipps@aol.com